



Remarks

Examiner Nagpaul is sincerely thanked for her assistance offered during the personal interview of May 24, 2005.

I. Status and Nature of the Amendments

Claims 1-20 are pending.

Applicant has amended claims 1-12 to set them in a format more consistent with U.S. prosecution. These claim amendments are not intended to change the scope of the original claims. New claims 13-20 are supported in the original specification at, for example, page 5, line 3 to page 6, line 26. Accordingly, approval and entry of the claim amendments and new claims are respectfully requested.

II. Claim Rejections -- 35 U.S.C. § 112

Claim 11 has been rejected under 35 U.S.C. § 112, second paragraph, on the ground that it is unclear from the drawings what the term "an annular slot" refers to.

Applicant respectfully traverses this rejection.

As explained at page 5, lines 17-19 of the specification, the annular slot or groove is designated by reference numeral 11 in the drawing. The annular slot 11 is described in the specification and depicted in the drawing as the sectional area between the cylindrical exterior of the separation column 2 and the interior of the collection vessel 3. During the personal interview, Applicant pointed out this passage of the specification and illustrated feature to the Examiner, who agreed that the rejection was misplaced.

For these reasons, reconsideration and withdrawal of the rejection are respectfully requested.

III. Claims Rejections -- 35 U.S.C. § 102



Claims 1 to 12 have been rejected under 35 U.S.C. § 102 (hereinafter “Section 102”) as being unpatentable over U.S. Patent No. 6,375,028 to Smith (hereinafter “Smith”).

Applicant respectfully traverses this rejection.

Claim 1 recites a separation device comprising a collection vessel (3), a separation column (2) inserted in the collection vessel (3), and a removable cover (4) closing off the separation column (2). The separation column (2) has a top side inlet (7), a bottom side outlet (8), and a separation material (10). The interiors of the collection vessel (3) and the separation column (2) communicate via (i) a pressure-equalizing connection (11, 12) and (ii) the outlet (8) of the separation column (2).

Unlike the claimed invention, Smith does not disclose the claimed pressure-equalizing connection for connecting a collection vessel with a separation column. In the Office Action, the Examiner asserted that channels 55 constitute the claimed “pressure-equalizing connection.” Applicant respectfully disagrees. Channels 55 of Smith serve to communicate the chamber of tube 50 with the outside atmosphere; the channels 55 do not connect or equalize pressure between the alleged collection vessel (tube 50) and the alleged separation column (conical wall 142).

During the personal interview, an agreement was reached that this rejection would be withdrawn upon receipt of this response. This agreement is memorialized in the interview summary.

For these reasons, Applicant respectfully requests reconsideration and withdrawal of the Section 102 rejection.



IV. Concluding Remarks

With regard to new claims 13-20, Applicant respectfully submits that these new claims recite the above-described pressure-equalizing connection, which is neither disclosed in nor reasonably suggested by Smith.

Having now responded to all of the Examiner's rejections, Applicant respectfully submits that the present application is in condition for Allowance, and earnestly solicit early notice of favorable action. The Examiner is respectfully invited to contact the undersigned with respect to any issues regarding this application.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "J.W. Berenato".

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